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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 JAMES DEAN WILKS,) CASE NO. C08-0386-MJP-MAT
09 Plaintiff,)
10 v.) ORDER DENYING DEFENDANTS'
11 SGT. STOWERS, et al.,) MOTION TO CONSOLIDATE CASES
12 Defendants.)
13 _____)

14 Plaintiff has filed a *pro se* complaint pursuant to 42 U.S.C. § 1983, to which defendants
15 have filed an answer. Defendants have recently filed a motion to consolidate this case with
16 another of plaintiff's pending cases, Case No. C07-2084-MJP-MAT. The Court, having
17 considered the motion, does hereby find and ORDER as follows:

18 (l) Rule 42 of the Federal Rules of Civil Procedure provides that cases may be
19 consolidated if they "involve a common question of law or fact." Fed. R. Civ. P. 42. Here,
20 defendants contend that because these two actions share four defendants and similar allegations,
21 the actions should be consolidated. (Dkt. No. 19 at 1). Upon review of the record, however, it
22 is apparent that Case No. C08-386-MJP-MAT has twenty-one defendants that it does not share

01 with Case No. C07-2084-MJP-MAT. Therefore, the two cases do not strike the Court as having
02 enough in common to warrant consolidation. Accordingly, defendants' motion to consolidate
03 (Dkt. No. 19) is DENIED.

04 (2) The Clerk is directed to send a copy of this Order to plaintiff and to counsel for
05 defendants.

06 DATED this 2nd day of September, 2008.

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09 Mary Alice Theiler
United States Magistrate Judge